

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICIA ANN BERRY,

Plaintiff,

-against-

TRANSUNION, LLC,

Defendant.

24-CV-3143 (JGLC)

ORDER OF DISMISSAL

JESSICA G. L. CLARKE, United States District Judge:

Pro se Plaintiff Patricia Ann Berry filed this action on April 24, 2025. ECF No. 1. On June 7, 2024, Plaintiff filed a Notice of Voluntary Dismissal with Prejudice as to Defendant Continental Finance Company LLC (“Continental”). ECF No. 14. The Court terminated Continental as a defendant on June 14, 2024. ECF No. 16. On June 20, 2024, Plaintiff filed a Notice of Voluntary Dismissal as to Defendant Equifax Information Services LLC (“Equifax”), ECF No. 19, and Equifax was terminated as a defendant the same day. On June 24, 2024, Plaintiff and Defendant Merrick Bank Corporation (“Merrick”) filed a stipulation of voluntary dismissal. ECF No. 18. Merrick was terminated as a defendant on June 26, 2024. ECF No. 20. On January 23, 2025, Plaintiff filed a Stipulation of Voluntary Dismissal as to Defendant Experian Information Solutions, Inc., which the Court entered on January 27, 2025.

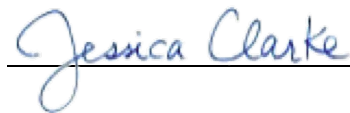
The sole remaining defendant in this action is TransUnion LLC (“TransUnion”). TransUnion moved to dismiss Plaintiff’s Complaint, which the Court granted on January 22, 2025. The Court granted Plaintiff leave to amend her complaint, and informed Plaintiff that if she did not file an amended complaint by March 1, 2025, the action would be dismissed with prejudice. ECF No. 35. As of today’s date, Plaintiff has not responded to the Court’s January 22, 2025, nor has she otherwise indicated that she intends to pursue this action.

When a party is “given adequate notice and opportunity to amend the deficiencies in its complaint and fail[s] to do so,” dismissal with prejudice is proper. *Document Techs., Inc. v. LDiscovery, LLC*, 731 F. App’x 31, 34 (2d Cir. 2018). Furthermore, “in the absence of any indication that [Plaintiff] could—or would—provide additional allegations that might lead to a different result,” dismissal with prejudice is warranted. *Gallop v. Cheney*, 642 F.3d 364, 369 (2d Cir. 2011). Because the Court has not received an amended complaint nor any response from Plaintiff that she intends to amend her complaint, the instant action is dismissed with prejudice.

The Clerk of Court is respectfully directed to terminate all pending motions and close the case.

Dated: March 10, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

JESSICA G. L. CLARKE
United States District Judge